



Board Agenda Item 74

DATE: June 21, 2022

TO: Board of Supervisors

SUBMITTED BY: Steven E. White, Director
Department of Public Works and Planning

SUBJECT: West Annex Jail - Change Order Process and Status

RECOMMENDED ACTION(S):

Receive change order status report on West Annex Jail construction project, located at 2208 Merced Street, Fresno, CA 93721, regarding approval by Chairman of Change Order # 24, providing for a net increase in the contract amount of \$85,862, leaving a remaining balance of \$466,287 from the original contingency amount of \$4,087,000, which was 5% of the original construction contract of \$81,756,000.

This item is brought to your Board to report on the project change order process and status.

ALTERNATIVE ACTION(S):

This item is informational only.

FISCAL IMPACT:

Project is funded primarily with State SB 1022 funds and County matching funds.

DISCUSSION:

On November 14, 2017, the Board conditionally awarded Contract No. 16-S-04 to Bernard Bros., Inc. (Bernards) for the construction of the West Annex Jail, subject to approval of the award by the California Department of Finance. Following notification receipt of the requisite State approval, a Notice of Award Letter was issued to the County on December 19, 2017. Notice to proceed was issued January 12, 2018, with an allowable start date to be on the job site of January 23, 2018. Mobilization on the West Annex Jail Project began on January 29, 2018.

The construction budget for this project is \$85,843,800 and includes a base construction cost of \$81,756,000 and a 5% allowance for contingencies of \$4,087,800. The total project budget of \$101,767,800 which includes the construction costs of \$85,843,800 and \$15,924,000 for Furniture, Fixtures and Equipment (FF&E), Architectural Services, Construction Management and Inspections, and State fees. The project is funded with State SB 1022 (Adult Local Criminal Justice Facilities Construction Financing Program) totaling \$79,194,000 and the required County match of \$22,573,800.

Change Order Process/Status

Included in the Board's action on November 14, 2017, authorization was given to the Director of Public Works and Planning, or his designee, to execute Contract Change Orders (CCOs) up to \$210,000, which is approximately 0.26% of Bernards total construction contract cost. This amount and action are consistent with the limit identified in the Public Contractors Code (PCC Section 20142).

On July 10, 2018, the Board authorized the Chairman to execute CCOs up to 5% (\$4,087,800) of the construction contract for the West Annex Jail project.

CCOs are comprised of Potential Change Orders (PCOs) which are evaluated by the County staff in discussion with the County's Contracted Construction Management firm, Kitchell CEM, Inc. Upon analysis, some PCOs are rejected, some are partially accepted, and some are accepted in full. Upon acceptance, the PCOs become CCOs.

Each CCO document routed for approval includes a summary of the balance as well as a change order summary table which shows all CCO processed today, up to and including the subject CCO. At this time, with the processing of the most recent CCO (CCO No. 24 for \$85,862), the balance remaining of the original \$4,087,800 contingency allowance is now \$466,287.

Staff is continuing to work with Kitchell CEM and the County's retained Architectural firm (DLR) to ensure that only those PCOs that are warranted are accepted for processing as CCOs.

A new procedure has been implemented to keep your Board apprised of the CCOs that are approved by the Chairman of the Board of Supervisors. Upon approval of the CCO by the Chairman, an agenda item will be brought to your Board at the next available Board of Supervisors meeting informing your Board of the approved CCO.

CCO No 24 has been approved by the Chairman and is comprised on 34 PCOs addressing issues related to State Fire Marshal requirements, ADA furniture adjustments, sewage grinder pump modifications, conduit enclosures, irrigation connection, trench drain, CATV system, etc. It should be noted that three of the PCOs included in this CCO were deductive in nature, resulting in a credit of \$59,152.

REFERENCE MATERIAL:

BAI # 37, March 8, 2022
BAI # 68.1, July 10, 2018
BAI # 10, November 14, 2017

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Change Order No. 24

CAO ANALYST:

Salvador Espino